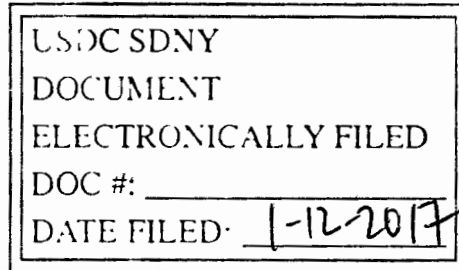




VIA ECF

January 4, 2017

Hon. Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



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MEMO ENDORSED

Re: *Kaufman v. Microsoft Corp.*, 16-cv-2880-LTS
Joint Notification of Scheduled Expert Deposition Per Order [ECF No. 44]

The Honorable Judge Swain:

Defendant Microsoft Corporation and Plaintiff Michael Philip Kaufman jointly write to advise the Court of the scheduled expert deposition of Plaintiff's expert on **February 22, 2017**, as ordered by the Court. ECF No. 44. Further pursuant to the Court's order, Microsoft's sur-reply will be due five business days after the deposition, on **March 1, 2017**. See ECF No. 44.

Should Microsoft include an expert declaration in response to Plaintiff's reply and expert declaration, Microsoft will make that expert available within two weeks of the sur-reply. Thus, the parties respectfully request the Court provide an adjusted expert deposition deadline, currently set for January 31, 2017 per the Court's Scheduling Order, to **March 15, 2017**. See ECF No. 30.

In addition, the parties respectfully request that the Court adjourn the February 16, 2017 hearing date for some time after March 22, 2017. See ECF No. 44.

A request for extension of the deadline for Microsoft's answer to June 24, 2016 was previously made (while Microsoft was seeking counsel), a joint request for extension of the deadline for the LPR 11 Joint Claim Terms Chart to October 18, 2016 was previously made, and a request for an adjournment of the Initial Conference to July 26, 2016 was also made.

Respectfully submitted,

Leah A. Edelman (LE7384)

cc: Plaintiff Michael Philip Kaufman (via ECF)
Courtesy copy to Chambers (via Fax)

*The foregoing requests are granted.
The Markman hearing is adjourned to
March 30, 2017, at 9:30AM.*

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SO ORDERED:

HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE